1	ROBERT K. PHILLIPS, ESQ. Nevada Bar No. 11441			
2	Nevada Bar No. 11441 BETSY C. JEFFERIS, ESQ. Nevada Bar No. 12980 PHILLIPS, SPALLAS & ANGSTADT LLC			
3				
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5	(702) 938-1510			
6	rphillips@psalaw.net bjefferis@psalaw.net			
7	Attorneys for Defendant Sam's West, Inc.			
8	UNITED STATES DISTRICT COURT			
9	DISTRICT OF NEVADA			
10	RUSSELL B. MORRISON, an individual,	Case No.: 2:18-cv-00353-RFB-PAL		
11	Plaintiff,			
12	V.	STIPULATION AND [PROPOSED] ORDER TO TAKE CERTAIN		
13	SAM'S WEST, INC., a foreign corporation dba SAM'S CLUB; DOES I through X; and ROE	DEPOSITIONS OUTSIDE THE CLOSE OF DISCOVERY		
14	CORPORATIONS I through X, inclusive,			
15	Defendants.	[THIRD REQUEST]		
16	Plaintiff RUSSELL B. MORRISON (	"Plaintiff") and Defendant SAM'S WEST, INC.		
17	("Defendant"), by and through their respective counsels of record, do hereby stipulate to conduct			
18	certain discovery outside the discovery period. Specifically, the parties stipulate that <b>Defendant shall</b>			
	certain discovery outside the discovery period. S	pecifically, the parties stipulate that <b>Defendant shall</b>		
19		Jorg Rosler, M.D., Dr. Jason Garber, M.D., John		
19 20	take the depositions of Plaintiff's experts Dr.			
	take the depositions of Plaintiff's experts Dr.	Jorg Rosler, M.D., Dr. Jason Garber, M.D., John		
20	take the depositions of Plaintiff's experts Dr. Peterson, CSHM, David L. Suggs, as well December 26, 2018 DCO.	Jorg Rosler, M.D., Dr. Jason Garber, M.D., John		
20 21	take the depositions of Plaintiff's experts Dr. Peterson, CSHM, David L. Suggs, as well December 26, 2018 DCO.  Pursuant to, LR IA 6-1 and LR 26-4 the p	Jorg Rosler, M.D., Dr. Jason Garber, M.D., John as Plaintiff Russell B. Morrison, following the		
<ul><li>20</li><li>21</li><li>22</li></ul>	take the depositions of Plaintiff's experts Dr. Peterson, CSHM, David L. Suggs, as well December 26, 2018 DCO.  Pursuant to, LR IA 6-1 and LR 26-4 the perextension requested in this matter. While the par	Jorg Rosler, M.D., Dr. Jason Garber, M.D., John as Plaintiff Russell B. Morrison, following the parties hereby aver that this is the third such discovery		
<ul><li>20</li><li>21</li><li>22</li><li>23</li></ul>	take the depositions of Plaintiff's experts Dr. Peterson, CSHM, David L. Suggs, as well December 26, 2018 DCO.  Pursuant to, LR IA 6-1 and LR 26-4 the perextension requested in this matter. While the par	Jorg Rosler, M.D., Dr. Jason Garber, M.D., John as Plaintiff Russell B. Morrison, following the parties hereby aver that this is the third such discovery ties have previously stipulated to extend all discovery est that certain depositions be allowed after the current		
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1	Defendant has served interrogatories, requests for production, and requests for admissions
2	to Plaintiff, and Plaintiff has served responses;
3	Plaintiff has served interrogatories, requests for production, and requests for admissions to
4	Defendant, and Defendant has served responses.
5	The parties have served their expert disclosures and any supplements thereto.
6	Plaintiff deposed Sam's Club employee, Robert Faranda, on September 14, 2018.
7	• The parties, as well as Plaintiff's experts, conducted a site inspection of the subject
8	premises on October 15, 2018.
9	• Plaintiff will be taking the deposition of Sam's Club employee, Joyce Johnson, on
10	December 12, 2018 at 10 a.m.;
11	• Plaintiff will be taking the deposition of Sam's West's FRCP 30(b)(6) Representative on
12	December 18, 2018 at 10 a.m.
13	DISCOVERY TO BE COMPLETED OUTSIDE THE DISCOVERY PERIOD
14	Discovery to be completed includes:
15	• Deposition of Plaintiff on January 9, 2018 at 10:00 a.m.;
16	• Deposition of Dr. Jorg Rosler, M.D. on April 4, 2018 at 7:30 a.m.;
17	• Deposition of Dr. Jason Garber, M.D. on February 21, 2018 at 10:00 a.m.;
18	<ul> <li>Deposition of John Peterson, CSHM (Date and time TBD in January 2018);</li> </ul>
19	<ul> <li>Deposition of David L. Suggs (Date and time TBD in January 2018).</li> </ul>
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The parties aver that good cause exists for the request pursuant to LR IA 6-1 and LR 26-4.  Defendant requested dates for the foregoing depositions in November 2018, prior to the December 26, 2018 DCO, but due to the witnesses' busy schedules and the difficulty scheduling the depositions during the holiday season, said depositions could not be scheduled within the discovery period. As such, the parties have cordially agreed to the aforementioned date and times upon which the depositions shall be conducted.  DATED this 11th day of December, 2018.  S/ Andrew Barton, Esg.  ANDREW BARTON, ESQ.  Nevada Bar No. 12980  BETSY C. Jefferis, Esq.  Nevada Bar No. 12980  Nevada Ba				
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ANDREW BARTON, ESQ.   S/ Betsy C. Jefferis, Esq.	8			
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